

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ARTURO OSIEL VALENCIA BARRERA,  
Plaintiff,  
v.  
FEDERAL BUREAU OF  
INVESTIGATION,  
Defendant.

Case No. 3:24-cv-02403-JSC

**ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING ACTION**

Re: Dkt. Nos. 16, 17

The Court has reviewed Chief Magistrate Judge Donna M. Ryu's report and recommendation to dismiss this action for failure to prosecute. (Dkt. No. 17.) Judge Ryu granted Plaintiff's in forma pauperis application and screened his complaint under 28 U.S.C. § 1915(e). (Dkt. No. 16.) After Plaintiff failed to file a first amended complaint by the deadline to do so, Judge Ryu issued the underlying report and recommendation recommending the action be dismissed without prejudice for failure to prosecute. (Dkt. No. 17.) Objections to Judge Ryu's order were due on or before September 19, 2024. *See* Fed. R. Civ. P. 72(b)(2). As of today's date, no objection or other response has been filed by any party.

Having reviewed the matter de novo, the Court ADOPTS the Report and Recommendation in its entirety, including the recommendation the lawsuit be dismissed without prejudice for failure to prosecute.

**IT IS SO ORDERED.**

Dated: October 1, 2024

  
JACQUELINE SCOTT CORLEY  
United States District Judge